

REMARKS/ARGUMENTS

Favorable reconsideration of this Application, as presently amended and in light of the following discussion, is respectfully requested.

This Amendment is in response to the Final Office Action mailed on March 10, 2005. Claims 2-8 are pending in this Application and Claims 1-8 stand rejected. Claims 5-8 are amended and Claim 1 is canceled without prejudice or disclaimer by the present Amendment.

Applicants respectfully bring to the attention of the Examiner that an IDS filed on this Application on October 12, 2004 has not been acknowledged. If necessary, Applicants are in a position to resubmit copies of that IDS and the date-stamped filing receipt, documenting that the IDS was properly filed on that date. Applicants respectfully request the Examiner to inform Applicants' representatives at the earliest convenient time about the need to resend copies of the IDS filing documents.

In the outstanding Office Action, Claims 1 and 5-8 were rejected under 35 U.S.C. § 112, first paragraph; Claims 1 and 5-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art (hereinafter AAPA) in view of Sekikawa et al. (JP 10042383A hereinafter Sekikawa); and Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Sekikawa and Suzuki et al. (JP 1191865A, hereinafter "Suzuki").

Applicants respectfully submit that the outstanding rejections under 35 U.S.C. §§ 112 and 103 of Claims 1 and 5-8 are now moot in view of the present amendment and the cancellation of Claim 1. However, Applicants reserve the right to reintroduce Claim 1 in its present form or further amended in a continuation-type application.

Applicants thank Examiner George Eng for the courtesy of an interview extended to Applicants' representative on April 8, 2004. During the interview, Amendments to Claims 5-8 as herein presented were proposed, and arguments as hereinafter developed were presented.

No agreement with respect to the claims was reached during the interview. Examiner Eng noted in the interview summary (PTOL-413) that “Applicant’s representative argued the rejection and Examiner explained the position of the art rejection, and Applicant’s representative proposed to further amend claims to overcome the art rejection. A further consideration will be needed upon the response is filed.”

As explained during the interview, Claim 2 recites, among other features, a first component holding unit to hold an image pickup device on a main surface of a board such that a substantial portion of a surface of the image pickup device is held in direct contact to the main surface of the board. In the outstanding rejection, (1) it was acknowledged that “neither Applicant’s admitted prior art nor Sekikawa specifically teaches the first component holding unit being configured to hold a substantial portion of a surface of the image pickup device in direct contact to said main surface;”¹ and (2) Suzuki was cited for disclosing “a holding unit to hold a substantial portion of a surface of the solid-state image pickup element in direct contact to a main surface of a substrate (abstract and figure 1).”² However, in Suzuki, the solid-state image pickup element unit 11 is inserted into an opening 18a on the printed circuit board 18.³ As such, contrary to what is required by Claim 2, in Suzuki *a substantial portion of a surface area of the solid-state image pickup element unit 11 is not held in direct contact with a main surface of the printed circuit board 18.*

Based at least on the foregoing discussion, Applicants respectfully submit that AAPA, Sekikawa, and Suzuki, neither individually nor in any combination, support a *prima facie* case of obviousness of the invention recited in Claim 2 because, even when combined, these references do not teach or suggest a first component holding unit to hold an image pickup

¹ Outstanding Office Action, page 6, lines 3-5.

² *Id.*, lines 5-9.

³ See the abstract of Suzuki and FIG. 1 of that reference.

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device on a main surface of a board such that a substantial portion of a surface of the image pickup device is held in direct contact to the main surface of the board. In addition, Claims 3 and 4, which depend directly from Claim 2, are also believed to patently distinguish from the combination of AAPA, Sekikawa, and Suzuki. Therefore, Applicants respectfully request that the obviousness rejection of Claims 2-4 be withdrawn.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after a Final Rejection permits entry of amendments placing the claims in condition for allowance or in better form for consideration on appeal.⁴ As the present amendment simply cancels Claim 1 and changes the dependency of Claims 5-8 from Claim 1 to Claim 2, the present Amendment is not believed to raise new issues and is believed to overcome outstanding rejections under 35 U.S.C. §§ 112 and 103, thus placing this application either in condition for allowance or in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. § 1.116 be liberally construed, and that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 2-8 is earnestly solicited.

⁴ See, for example, MPEP §714.12.

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Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870
Mardson Q. McQuay, Ph.D.
Registration No. 52,020

EHK/MQM/kkn

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